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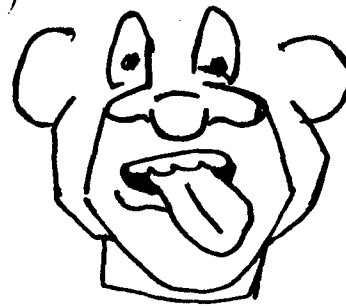
MC  
883  
84

Gift

# RES GESTAE

the law school weekly

I KNOW.  
YOU TRIED IT—  
THOUGH! YOU  
WERE GONNA DIE!



ANN ARBOR , MICHIGAN

"Try it, you'll like it!"

21 January 1972

FIRST IN A SERIES

## Faculty hiring

WHAT THE SUMMER MEANS

The information that Ph.D's seeking college teaching positions are a glut on the market has come to light only relatively recently. Perhaps even less known, however, is the long-standing paucity of vacancies for professors in the nation's law schools.

Law school faculty demands have not expanded nearly so dramatically as those of the colleges. And legal academics have always recognized the more-or-less clear-cut rankings of law schools by prestige. Next to judges, law professors are probably the most esteemed of lawyers both within and outside the profession. The heady mix of respect, status, fame and (modest) fortune make a teaching appointment, especially at one of the acknowledged major law schools, the "brass ring" for many bright aspirants who find themselves on the career merry-go-round.

How, one might ask, is such a coveted appointment obtained? What can a hopeful do to enhance his chances? Why is the process of faculty hiring seemingly shrouded in total mystery? Are there signs the initiated can read to tell who is under consideration and who is not?

In this, the first in a series of articles on faculty hiring, Dean St. Antoine agreed for Res Gestae to answer those questions and others from his own perspective. Our conversation focussed specifically on the subject of summer visiting professors.

The search for "excellent" candidates, the Dean indicated, is a continuous and painstaking process. Superlative creden-

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## Rockin' Robben

RG conducted an interview with Robben Fleming, President of the University, on December 21, 1971, and excerpts from that session are reprinted below:

### Cook Devise

RG: Concerning the William Cook residuary devise from New York: as a former law professor and a member of the administrative structure, have you thought about how you would like to use this money in the law school?

Fleming: I haven't, but I think also that we ought to be clear that we really don't have that in hand yet. It is there and we know about it, and we believe we know roughly how much money's involved, but as I understand it there are a number of hurdles to be jumped before the money is actually in hand.

RG: Passing that question --

Fleming: Well there are many needs over there, and so the question is what's the most serious need. One of them clearly is a library expansion. The library over there, which was built in a different day and for a different student population, needs expansion and it's not really feasible in terms of construction to change the nature of that present library. Therefore, I suspect...the only way you can do it is to build a separate library although a more limited one, and if one's going to do that the most readily available space is that parking lot across the street, which

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of course will cause another kind of complication.

RG: There has been talk, too, about some alternatives, with different constituencies, such as an auditorium for the law school, and an expansion of the financial aid fund. How would you rank those, including the one you mentioned, as to priority?

Fleming: I'm not really in a position to rank them, mostly because I haven't studied those alternatives and I don't know, as the law school administration would, what the pro and con arguments are. I can "off the cuff" react to some... About the auditorium possibility, I should think that before one went that route, he ought to think pretty seriously about the question that right straight across the street the business school is constructing a new auditorium. And in terms of utilization of space...that might be available for some law school use... Financial aid is one of the toughest problems throughout the University and certainly is in the law school. I'm sure that fund needs supplementation. I'm sure that as costs go up, pressure on students is greater than ever, and therefore I'm one who thinks that's serious, that need; but I don't know how to compare it with those other things.

#### Legal Aid

RG: In another area of law school interest, I wonder what your views are on expanding the curriculum so that it included more clinical law or on-the-job type work?

Fleming: ...I tend to be generally favorable toward clinical experiences for a variety of reasons. One, I think the more exposure you can give a student to sort of the real life situations the more he will tend to feel motivated towards the career. But the off-set

to that is that he's going to spend the balance of his life-time in the real life situation and unless he's adequately prepared at the theoretical level for dealing with those problems he will do it less well. You've got a fairly short period in law school in which to prepare him at the theoretical level.... I think such things as the legal aid programs that are now developed and expanded are thoroughly good experiences. I'm all in favor of that.... I guess the only question is how much should you extend credit courses.

RG: You feel that three years is too short a time for the theoretical aspects of law?

Fleming: I don't think it's too short a time, no, but I think it may be too short if you divert too much into the purely clinical aspects of it. After all, it's very easy to over-rate these clinical experiences. No matter what you go into whether it's law or business or what, you are going to have to spend a fair amount of time adapting to and understanding those practical operations. I suspect, in fact, it's more that the student in any profession like law or medicine or nursing feels that he went into that in school to get on with the real life part of it and he doesn't want to spend more time in libraries studying, and that sort of thing.

RG: I suppose one might want some clinical study to relate what's going on in the classroom, as something of an incentive and of a perspective-maker, so that you really know what you want to study.

Fleming: Yes, I think the critical question gets to be how much credit you give for this rather than can you get that experience. For instance, when I used to teach labor law, and we used to teach an arbitration seminar, I would take, quite frequently,

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# N.B.:

"The Organized Bar":  
If You Try It, Will You Like It?

The National Association of Bar Executives is interested in what YOU think is wrong with "the organized bar" in the United States. On Feb. 3, Bob Kass, a 3rd year law student, will have a chance to communicate your views to the Association's annual meeting in New Orleans. Bar executives from every state will be there. Anyone who would like to take advantage of this opportunity to gripe, albeit indirectly, is encouraged to contact Bob in person or by leaving a note in carrel 707, Legal Research Bldg.

-- Robert E. Kass

## HELP WANTED

The Jessup International Moot Court competition consists of a team written brief (due Feb. 29), and oral arguments at regional and national competitions (later in Spring).

Participants may work on research, writing, or oral presentation, or any combination of those activities.

Interested people please contact:

Carolyn Hansen 764-8954

Bob Kass 764-9038

Jan Larsen 769-6260

Or leave a note at the International Law Society office -- room 102B Law School Library.

## CANCELLATION:

Martin Pompadur, VP of ABC (last we heard), will NOT be able to appear next week as was previously reported in this space. Sorry.



Will the real Environmental Law Society please have a meeting?  
For sure.

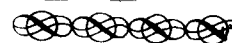
If you've wondered whether ELS exists or what it does, if you want to work on a project, please come to a meeting on Thursday, Jan. 27 at 7:30 P.M. in room 132 HH. If, for some reason, you cannot attend, stop by the office at 112 Legal Research (i.e. the Library) or call 763-2176.



## PURGE'EM WITH PIRGIM

Some of you may have seen various signs around the law school displaying the acronym "PIRGIM" and the slogan, "Action for change." You may remember, that last semester the RG ran several articles on the possibilities of establishing a Public Interest Research Group in Michigan (PIRGIM -- say "purge'em").

Briefly, PIRGIM would be a student-controlled, student-funded, state-wide organization employing a full-time, professional staff of research scientists, lawyers, etc., working on "public interest" problems. PIRGIM will be funded, as are similar groups in Minnesota, Oregon, Southern California and Vermont, by a student fee of \$3.00 per student per year. If you're interested and want to help, stop by the office at 112 Law Library or call 763-2176.



"When Carrington reads Dickens, Vining reads 'The Mouse's Tale' from 'Alice in Wonderland,' and Harris does a big thing on Italian law, all in the same week, WHO's buckling under exam pressure?"  
overheard in § 4.....

students who wanted to, with me to arbitration hearings. And in the arbitration seminar sometimes, one of the things I would do would be to give each student a transcript of all the exhibits of a case I had heard and ask them to write the decision. Well, in a sense that was an exposure to real life kinds of operations.... The only time they got credit for that, however, was if I happened to do it in a seminar as part of the course... Remember, again, at the time I was in law school, I did legal aid work and I thoroughly enjoyed it. I thought it was a very valuable part of my experience. Now, at that time we didn't get any credit at all for legal aid and nobody got very excited about that.... I can see some value in giving some credit...I think I'd be inclined perhaps to do it.... I guess my view would be that credit for it is a little less essential than I think some students probably think it is.

#### New Campus Police

RG: Turning to the general University, would you comment on whether there will be any changes in the nature of campus police work when the University's own force comes into being, say, in different services, the presence of firearms, a switch in uniform to blazers as some cities have?

Fleming: There'd certainly be some changes, the question will be how substantive they are. I would assume if you just start with something like the uniform, it will be different simply to distinguish it from the Ann Arbor police.

RG: Green instead of blue, something like that, huh.

Fleming: Well, it'd be different.... In terms of training of policemen, I don't think it would be different, because as I understand it state law requires that anybody given police authority must have certain kinds of training....

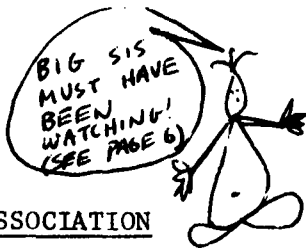


RG: What about the "special nature of the university?" Will you carry that on in special sessions with your police force?

Fleming: Yes, the real question is what is the special nature of the university, and that will approach this very sensitive question that you've raised with respect to arms. And that is going to be a very troublesome question because on the one hand some of the kinds of problems which you're going to ask that police force to deal with are problems of the kinds of crimes which you nor I would be very enthusiastic about pursuing in the absence of any arms. On the other hand, in the university there is an abhorrence of arms....

RG: And empirical reasons for the absence of the need for arms?

Fleming: Well, maybe; maybe not, too. The fear of arms, of course, is that they'll be used and all of us on the university campus are extremely reluctant to see arms used. I'm not a bit sure, however, that that is a function of the presence of arms and I would document that simply by saying this, that we have gone through the most turbulent period perhaps in the history of universities in this country. Throughout that period we had on campus, because that was the way we were doing it, armed Ann Arbor policemen. We never had an incident in terms of the use of arms. Now, we didn't have an incident because we understand and the Ann Arbor police understand the dangers that it implies, and we never had the use of arms. Therefore, I deduce that the mere presence of arms does not absolutely mean that arms are going to be used. I think it is much more a question of what is the training of the policemen, and what is the known attitude of the employing unit. The second part is that unlike the old days for universities, such things as large-scale thefts and armed robberies on campus were an unknown factor. Now one of the things that's happened to us is



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#### LAW WIVES ASSOCIATION

Art Interest Group will meet Tuesday, January 25 at 7:30 P.M. at 2510 Arrowwood Trail to learn the technique of matting pictures. Please bring a picture of postcard size.

Literary will deal with the homosexual movement for openness and realism in laws. Cindy Gair and Jim Toy, Program Assistants from the Office of Student Services, will be present to answer questions. Suggested reading: "Out of the Closet: A Gay Manifesto" (Ramparts); "My Own Men's Liberation" (WIN); and "The Realities of Lesbianism" (The New Woman). Also suggested: The Same Sex, edited by Ralph W. Wiltge and published by Pilgrim Press. The meeting will be in the third floor lounge of the Lawyers Club at 8:00 on Thursday, January 27.

#### LEFT-HANDED RETRACTION OF THE YEAR DEPARTMENT

After vociferous complaint and vituperous comment of Professor Y. Kamisar to the effect that sexism is not one of his major failings, we must admit that the report of his comments vis a vis the moral relationship of women and money failed to note that the statement was a hypothetical defense of a hypothetical John to a hypothetical prosecution in a hypothetical of the professor's choosing.

--Ed.

With the right we giveth, with the left....

--Eds All



#### PLACEMENT

##### 1st and 2nd year students

Each year the Placement Office prepares a Placement Directory, which is sent to employers who schedule interviews for the coming fall and spring interviewing seasons. It is hoped that this directory will aid both the employer in his search for new attorneys and the student in his search for job opportunities.

Included in the directory will be the following information about each student: name, date of birth, parents home address, marital status, expected date of J.D. degree, undergraduate school, degree and date received, major and minor fields of study, and, if known, Ann Arbor address as of September, 1972.

THIS IS NOT FOR REGISTRATION WITH THE PLACEMENT OFFICE. You will have to register next fall for actual interviewing.

Placement Directory information forms are available in the Placement Office. DEADLINE FOR RETURNING THE FORMS TO THE OFFICE IS FRIDAY, FEBRUARY 11.

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Student-faculty directories are now available from the receptionist on the third floor of Hutchins Hall

R.G.Drones: Serritella, Hall, Newman, Slaughter, Forsyth, Scott, Hays, Argie.



tials, references, and experience are simple prerequisites. Then there takes over "a very healthy grapevine," among both law professors, that can signal who is up-and-coming and who might be ready to make a move from his current position.

Initial search and preliminary evaluation are almost always pursued in an informal way. A prospect's personal characteristics are usually known to at least someone on our faculty, and scholarship, said the Dean, "is easy because it's all there to be read."

On rare occasions the process may be initiated by a candidate himself, but due in part to reasons of delicacy and protocol, we were told, "appointments are rarely selected on that basis."

Given that the Law School starts the process, the basic premise is, in the words of the Dean, that "we treat every visiting professor as a potential candidate for appointment."

Actually, visiting professors seem to fall into several categories. Summer appointments are illustrative of such sorting out. First are faculty of established high reputation at another major law school. They are not under consideration for appointment to a permanent position because they are simply not expected to leave their current jobs, for a variety of reasons. They may want a summer vacation, a change of student body, another run-through of a draft casebook, or just a different atmosphere for a while. "While they visit with no promise that they will ever stay permanently," St. Antoine says, "they are, nonetheless, a plus on the premises."

At the other extreme are visitors whose appointment to the Law School Faculty is imminent and who previously underwent the more preliminary stages of recruitment. They may be here for a final look by all parties involved, or may have already embarked upon their regular assignment.

In between the two is a large area of "possibilities," some remote and some near. Here, the Dean emphasized, is an area of "subtle relationships" where prospects must be eyed with care. "We don't want to seem to be going

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that we cannot isolate ourselves from the larger community. And you're therefore seeing on campus a steady series of armed robberies.... You're seeing losses of equipment on a scale that we never would have envisioned -- I pointed out the other day we lost a hundred thousand dollars worth of equipment.... Whether one can really ask to bear no arms in the face of that kind of opposition is a pretty serious question.

- m.s.



Govern for  
McPresident!

#### BIG SISTER IS WATCHING YOU AWARD OF THE WEEK \* \* \* \*

This week's winner is a quote from Volume XIII of the International Encyclopedia of Comparative Law. Prof. Vining, who unearthed the quote when he reviewed introductory materials for his course in Enterprise Organization, nominated the following excerpt from a discussion of the "organizational revolution":

"In the more affluent countries, women who are not fully occupied by the demands of the family form their own clubs to pursue religion, welfare, art or games."



(See notice, page 5. --Ed.)

## Cinéma Vérité

...and Big Sister Should Have Been in the Composing Room...

Over a cutline in the Detroit News identifying Rep. Bella Abzug giving testimony somewhere appeared a picture, clear as day and grinning to beat all hell, of one Dennis Hopper.

# AND MORE FACULTY HIRING FROM PAGE 6

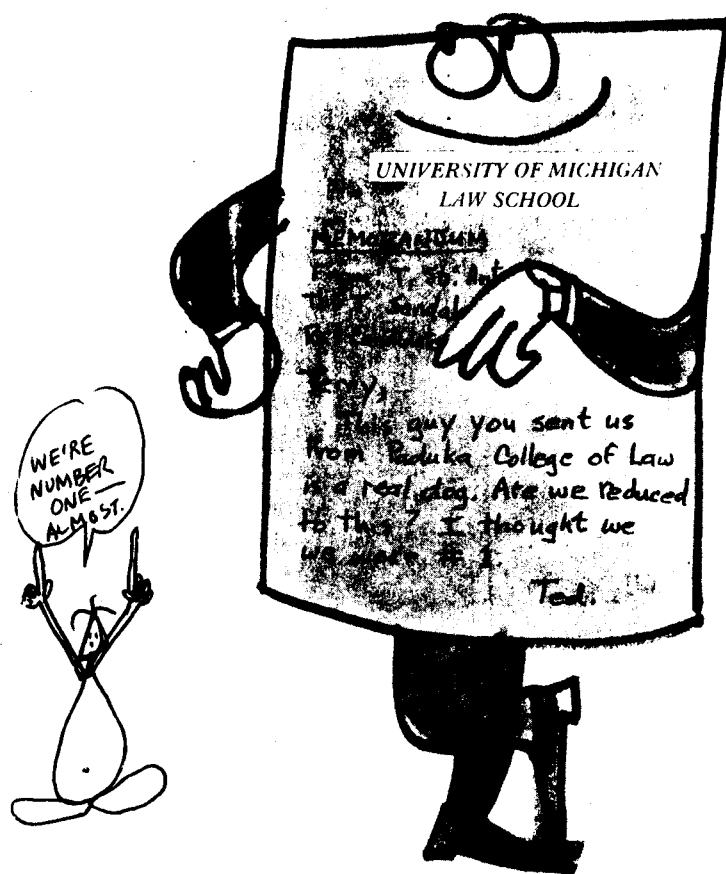
after a man," he says, "when no assurances can be given." Unless the need to fill an opening is urgent, full faculty opinion cannot be fairly judged in advance and false expectations should be discouraged. On the other hand, St. Antoine noted, if preliminary feelers are not tried the Law School might be put into a position of "making an offer and then being rebuffed" which is damaging to institutional prestige and lessens the significance of an offer. Furthermore if the prospect to whom an offer is extended was recommended by a personal friend on the faculty, a refusal could create strains on that relationship or artificial pressures to accept.

It should be understood, the Dean observed, that there are many justified reasons for a law teacher's refusal to move from his current situation. Transfer to Michigan might require that he break up the package of courses he teaches since one or more of his specialties may already be well covered by existing faculty. Obviously geographic, cultural, and institutional tastes differ and may even be determinative for a professor who is also a practitioner with roots elsewhere.

Two can play at the same game. We asked St. Antoine what were effective enticements to draw faculty away from Michigan. The Dean confided: "Let's face it, there are not many law schools that can raid us - maybe only one, in fact." Still, he admitted, enhanced compensation could enter in, as well as better working conditions, lighter class loads, and more abundant opportunities for scholarship. St. Antoine said that he thought the offer of an endowed chair was a much over-rated inducement. "I don't think that that's an enviable position to hold," he suggested, "it may serve to generate enmity among peers." That "slight elevation" said the Dean, can cause antagonisms, and "I think that most professors are willing to forego a few thousand dollars additional compensation in order to avoid friction with their colleagues." [The Law School has three such chairs at this time. Ed.]

What impact have students on the entire process? "Much more than they expect," answered the Dean. The Law School Senate reportedly has a stand-

ing student committee on faculty appointment, two members of which have participated in past sessions of the Faculty Advisory Committee. Students are excluded from the final faculty meetings on permanent appointments because, as St. Antoine indicated, quality of faculty "still is one of their most jealously guarded prerogatives." Nevertheless, the Dean said he could recall recent instances in which student opinion, voiced through the L.S.S.S. representatives, has tipped the balance once for appointment, and even once against appointment of



candidates under serious consideration. "Don't underestimate either," admonished the Dean, "student views travelling along our grapevine" since members of the Faculty Committee [Hawkins, Kamisar, T. Kauper, Reed, Siegel] and the faculty generally, welcome student inputs on any occasion.

[Next week, R.G. talks with Prof. Sandalow, chairman of the Faculty Committee.]

— J.J.S.&J.N.S.





# R.G. FOOD REVIEW (cite as The Gallumphing Gourmet)

Not that anyone would ever dream in their wildest fantasies of deserting the local cheapfood establishment (which shall, for reasons that are most obvious to us all, remain virtually nameless...you know, the place that allegedly gave out allegedly free alleged subs to alleged winners of the alleged R.G. griddy contests) — but just in case, there are a few alternatives. A brief summary of the (you'll pardon the expression) high spots:

In an era when everybody puts the label "milkshake" on those crude, plastic concoctions from the machines, (and I do mean EVERYbody — like, even the Washtenaw Dairy, which ought to destroy your faith forever) it is refreshing — nay, inspiring — to come upon REAL milkshakes, ice cream and all, thick, etc. for the pre-JFK era price of but 30¢. It is R.G.'s joyous task to report that the Brown Jug, down South U. by the theater, continues to maintain excellence in at least this department.

Mr. Flood's Party, a watering spot down Liberty past Main St., offers a shell for a quarter — not a full schooner, perhaps, but a good 9 oz. or thereabouts, light or dark. Hard-boiled eggs accompany for 15¢.

Dino's, formerly Mike's Steak and Shake next to the V-Bell, offers a ground-veal-and-lamb meal called, of course, Zorba. Under two bucks, and very few pretentions. As Dino and his waiters exchange insults and astute political commentary, you might want to take along your labor relations text.

Soup? The Purple Pickle, which calls a very beefy Beef Barley "homemade," is good for a few other things as well, although their pickles are, sadly enough, green...but don't hold that against a good pickle.

Then, last and decidedly least, a good cheapfood lunch you can throw into your tense, overwrought little stomach: a generous 45¢ chili-dog down at, honest-to-Rehnquist, Kresge's. Make sure you don't get stuck with one that's been on the grill too long — it's been known to happen.

Caveat: those food mongers in town who might feel we've been unkind to their wares ought to be informed that most of us staffers, and for all we know, the Law School itself, are most assuredly judgment-proof....

-- J.N.S.



VIRGINIA LAW WEEKLY, FRIDAY, OCTOBER 8, 1971



"Now, I want to re-emphasize . . . again . . . one more time, that we *don't* discriminate in our hiring practices — Why, some of our best friends are women."